

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
LUFKIN DIVISION

METTLER-TOLEDO, INC.,	§	
	§	
<i>Plaintiff,</i>	§	
	§	Civil Action No. 9:06-CV-97
v.	§	
	§	
FAIRBANKS SCALES, INC. and B-TEK	§	JUDGE KEITH F. GIBLIN
SCALES, LLC,	§	
	§	
<i>Defendants.</i>	§	

FINAL JUDGMENT

This matter came before the court for trial by jury on January 9, 2009 through January 29, 2009. The jury rendered a verdict in favor of Defendant B-Tek Scales, LLC¹ on the issues of infringement of United States Patent Nos. 4,804,052, 4,815,547, and 4,955,441 and invalidity by obviousness of the asserted claims of the '052 and '441 patents, and in favor of Plaintiff Mettler-Toledo, Inc. on the issue of invalidity of the asserted claims of the '547 patent. Doc. # 217. After a one day bench trial held on January 28, 2009, the court returned a verdict in favor of Mettler-Toledo on the issue of inequitable conduct. Doc. # 259. The court hereby enters judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

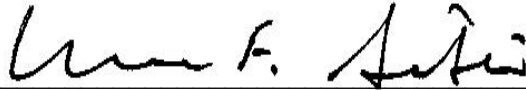
IT IS THEREFORE ORDERED that Plaintiff Mettler-Toledo, Inc. shall TAKE NOTHING from its claims against Defendant B-Tek Scales, LLC.

IT IS FURTHER ORDERED that Claims 1, 4, 5, 6, and 7 of United States Patent No. 4,804,052 and Claims 1 and 11 of United States Patent No. 4,955,441 are declared INVALID.

¹Defendant Fairbanks Scales, Inc. was dismissed from this suit on May 10, 2007 [Doc. # 67].

Costs shall be taxed against Plaintiff Mettler-Toledo, Inc. All relief not granted specifically granted herein is DENIED. This is a Final Judgment disposing of all claims, and is appealable.

SIGNED this the 9th day of November, 2010.

A handwritten signature in black ink, appearing to read "Keith F. Giblin", written over a horizontal line.

KEITH F. GIBLIN
UNITED STATES MAGISTRATE JUDGE